

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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LORI SCHARFF, MICHAEL GODINO,
EDWARD MOLLOY and LONG ISLAND
COUNCIL OF THE BLIND,

Plaintiffs,

ORDER

-against-

10-CV-4208

COUNTY OF NASSAU and SHILA
SHAH-GAVNOUDIAS, COMMISSIONER
OF NASSAU COUNTY PUBLIC WORKS,
in her official capacity,

Defendants.

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Plaintiffs Lori Scharff (“Scharff”), Michael Godino (“Godino”), Edward Molloy (“Molloy”), who are all visually impaired individuals, and the Long Island Council of the Blind (“LICB”) (collectively “plaintiffs”) commenced this action against defendants County of Nassau (the “County”) and Shila Shah-Gavnoudias, Commissioner of Nassau County Public Works, in her official capacity (collectively “defendants”) seeking injunctive and declaratory relief, damages, attorney’s fees and costs for violations of Title II of the American with Disabilities Act (“ADA”), 42 U.S.C. § 12131 *et seq.* and the Rehabilitation Act of 1973, 29 U.S.C. § 794 *et seq.*

Following the settlement of this action, the parties submitted a Consent Decree which was So Ordered by this Court. Thereafter plaintiffs, as prevailing parties, moved for attorney’s fees, which motions were referred to Magistrate Judge Gary R. Brown for report and recommendation. On May 20, 2016, Judge Brown issued a Report and Recommendation (the “Report”) recommending that plaintiffs’ motion for attorneys’ fees be granted and that plaintiffs be awarded attorneys’ fees in the total amount of \$217,110.80. More than fourteen days have

elapsed since service of the Report and Recommendation, and neither party has filed any objections to it.

Pursuant to 28 U.S.C. § 636(b) and Fed. R. Civ. P. 72, this Court has reviewed the Report and Recommendation for clear error, and finding none, now concurs in both its reasoning and its result. Accordingly, this Court adopts the May 20, 2016 Report and Recommendation of Judge Brown as if set forth herein.

Also before the Court is the parties' joint request for a judgment as to all the monies to be paid by the County pursuant to the Consent Decree. That joint application is granted.

IT IS HEREBY ORDERED that plaintiffs' motion for attorneys' fees be granted and that plaintiffs be awarded attorneys' fees in the total amount of \$217,110.80 and the joint application for a judgment as to all monies to be paid by the County pursuant to the Consent Decree is hereby granted.

SO ORDERED.

Dated: Central Islip, N.Y.
June 6, 2016

/s/ Denis R. Hurley
Denis R. Hurley
United States District Judge